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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

T.K.B. SHIPPING A/S,

: ECF

Plaintiff,

AFFIDAVIT PURSUANT

TO SUPPLEMENTAL

-against-

RULE B

CABOMUNDO SHIPPING LINE TRANSPORTES :

MARITIMOS S.A.,

08 Civ. 3167(RWS)

Defendant.

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STATE OF NEW YORK)

COUNTY OF NEW YORK)

JAMES P. RAU, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and a member of the firm of Cardillo & Corbett, attorneys for the Plaintiff herein. I am familiar with the facts of this case and make this affidavit in support of Plaintiff's prayer for the issuance of a Writ of Maritime Attachment and Garnishment, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

- 2. I have attempted to locate defendant, CABOMUNDO SHIPPING LINE TRANSPORTES MARITIMOS S.A., within this District. As part of my investigation to locate the Defendant within this District, I examined the telephone company information directory, as well as the white and yellow pages of New York listed on the Internet or World Wide Web, and did not find any listing for the Defendant.
- 3. The database of the office of the New York State Secretary of State was searched to determine if Defendant is qualified to do business in New York, without result.
- 4. On information and belief, Defendant, CABOMUNDO SHIPPING LINE TRANSPORTES MARITIMOS S.A. was, and still is, a foreign corporation, or other business entity, organized under, and existing by virtue of the laws of a foreign country with an address Rua Alvaro Casteloes, 821 4 Sala 4.3, Matosinhos, Portugal 4450-043.
- 5. In consequence of these inquiries your deponent believes that the Defendant cannot be found within the Southern District of New York.
- 6. Upon information and belief, Defendant has, or will have during the pendency of this action, tangible and intangible property within the District in the hands of ABN Amro Bank NV, American Express Bank, Banco Popular, Bank Leumi, Bank of America, Bank of China, Bank of Communications Co. Ltd.

New York Branch, Bank of New York, Barclays Bank, BNP Paribas, Calyon, Citibank, Commerzbank, Deutsche Bank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank, Societe Generale, UBS AG and/or Wachovia Bank, in the form of accounts and/or fund transfers identified as follows:

- a) accounts in the name of CABOMUNDO SHIPPING LINE TRANSPORTES MARITIMOS S.A., or
- b) electronic funds transfers listing CABOMUNDO SHIPPING LINE TRANSPORTES MARITIMOS S.A. as a beneficiary of the funds transfer, or
- c) electronic funds transfers showing CABOMUNDO SHIPPING LINE TRANSPORTES MARITIMOS S.A. as the remitting party or ordering customer.
- 7. This is T.K.B. Shipping A/S's first request for this relief.

WHEREFORE, T.K.B. SHIPPING A/S, respectfully requests that the Court authorize the issuance of process in the form of a Writ of Maritime Attachment and Garnishment seeking attachment and garnishment of CABOMUNDO SHIPPING LINE TRANSPORTES MARITIMOS S.A.'s tangible and intangible property within this District.

Sworn to before me this 28th day of March, 2008

JAMES

TULIO R. PRIETO
Hotary Public, State of New York
No. 02PR6070011

Qualified in Richmond County
Certificate Filed in New York County
Commission Expires February 19, 20/0